Previous references.

File No. 117

1904

(G. Finance)

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 & 2

PART B. FOR November.

SUBJECT.

Powers of the Secretariat officers in the matter of communication of Govt orders.

FILE No. 117 of 1904-05.

Powers of the Secretariat Officers in the matter of communication of Government Orders.

1 From the Comptroller, No. 1459—T. A. D. 254, dated 31st August 1904.

Requests to be informed as to whether letters and dockets issued from the Secretariat and signed by the Secretary, the Deputy and Assistant Secretaries, with the words "By order" inserted above their signature should be treated as Proceedings of Government, whether the Registrar is empowered to sign for Secretary in conveying the orders of Government and whether Proceedings issued by the Financial Department could be signed by an Assistant Secretary other than the one in immediate charge of the Department, and solicits confirmation by the Financial Department of the order conveyed in G. Pro. No. G. 990, dated 17th August 1904, sanctioning an allowance of Rs. 10 to M. Veeraraghavalu Naidu from the 1st to the 23rd July 1904.

2 To the Comptroller to the Government of His Highness the Maharaja, No. Fl. 2529, dated 2nd November 1904.

G. R. S. Informs that the orders of Government are certified to by the Secretary and they are signed by himself or by the Deputy Secretary or any of the Assistant Secretaries or the Registrar for him and confirms O. M. No. G. 990, dated 17th August 1904 in the Financial Branch.

G.R.S. 11] 1904.

GENERAL AND REVENUE SECRETARIAT.

(8/Finance)

NOTES.

File No. 117/1904

FILE HEADING.

Powers of the Secretarial officers in the matter of Communication of Govt orders.

From The Comptroller to the Govt of the Leeward Islands & Inspector

No. 1459 / 254 Dated 31-8-04 Received 1-9-04.

Diary No. 892	Enclos.	Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Requests the information as to whether letters & dockets issued from the Secretarial & signed by the Clerks in accordance with the words "By order" above their signatures should be treated as Proceedings of Govt &c.

NOTES AND ORDERS.

In addition to the above the Comptroller wants to know whether the Registrar is superseded to sign for Secretary in Conveying the orders of Govt and whether proceedings issued by the

NOTES—First sheet.

MGCPB—5,000—18-5-04

G.R.S. 12]

General and Revenue Secretariat.

File No. 117 of 1904-5

Serial No.

Financial dept Consulted to Legue
by an Asst Secretary other than
the one in immediate charge
of the department; and Solicits
~~Sanction~~ Confirmation by the
Financial department of the
order conveyed in L.O. IV. Ly 990 dy
17.8.04 Sanctioning an allowance
of Rs 10/- to Mr. Veeraraghavalu Naidu
from the 18th to the 23rd July 1904.

Solicited Sanction

5/9/04 Four points are raised by the Comptr..

(1) whether letters and dockets issued from the Secretariat and signed by the Secy, the Dy Secy, and the Asst Secys with the words "by order" above their signatures should be treated as Proso of Govt.

Section 180 of the Office Manual permits the issue of orders in the form of letters and dockets in addition to that of Govt Proso. Therefore if the letters and dockets convey orders, they are as Authoritative as Govt Proso.

(2) Whether the Registrar is empowered to sign for Secy

NOTE—Contn. sheet.

MGCPB--10 000--19-5-04

G.R.S. 12]

General and Revenue Secretariat.

File No. 117 of 1904

Serial No.

not only in the latter's capacity as the Controlling officer of the Secretariat office but also as the mouthpiece of Govt. The Compt.r also states that as the papers issued from the Secretariat and Signed by the Dy secy, the Asst Secys and the Registrar are invariably signed for Secy and not above their different designations it is not possible to discriminate between the functions assigned to each. It does not appear to be necessary for the Compt.r to know the functions assigned to the several Secretariat officers. The general functions of the Registrar relate to office discipline and management but in special circumstances it is possible he may do the Case work of any Branch and Sign "for Secy" orders issuing from such Branch. Such orders are as valid as any signed by other Secretariat officers "for Secy" The Compt.r need only see if the orders have issued above the signature of an officer who Signs for Secy So long as the capacity in which an officer signs is given as "for Secy" and the Communication conveys an order it should be presumed that the officer signing the order has done so for Secy in the latter's capacity as the mouthpiece of Govt. and not as head of the Secretariat office.

NOTE—Contn. sheet.

MGGPB—10,000—31-8-04.

G.R.S. 12]

General and Revenue Secretariat.

File No. 117 of 1904-5

Serial No.

But in so far as Govt orders are required on matters arising in Connexion with the Secretariat office they should be referred to the Branch which deals with similar questions raised by other offices and the Govt order should issue from the Branch to which the matter relates and not from the Branch in which the Secretariat office Establishment matters are dealt with

3. Whether the Govt issued from the Financial Branch could be signed by an asst Secy other than the one in charge of that Branch. Orders issuing from the Financial Branch are either signed by the Secy or by an asst Secy for Secy so long as the Communi-Cation ~~covering an order~~ conveying a financial order bears a financial number it should be considered by the Comptr as having been issued from the Financial Branch. Financial orders passed in other Branches should be duly noted by Branch ii in order to ascertain their financial effect. This can be done either by issuing the orders from the Branches themselves after getting them not only numbered but also invariably

NOTE—Contn. sheet.

MGCPB—10,000—31-8-04.

G.R.S. 12]

General and Revenue Secretariat.

File No. 117 of 1904-5

Serial No.

duly noted by the Financial Branch or the Orders themselves may be sent to Branch ii for signature & issue.

4. Confirmation in the Financial Branch of Official Memorandum No G 990 dt 17.8.04 sanctioning an allowance of Rs 10 from the 1st to the 23rd July 04 to M. Veeraraghavalu Naidu. As the order involves the utilization of Establishment Savings and is, in effect, the creation temporarily of an allowance not existing in the sanctioned scale it appears to require Confirmation in the Financial Branch.

Please do so G. 23-10-1904

Forwarded to the Registrar as the points raised by the Comptr. involve questions of procedure.

M. Muthuraman
14.9.04

on the first two points it is default to say that the Comptroller was in order in making the reference.

The subordinate Secretariat officers usually sign papers for the Secretary. This practice is both

NOTE—Contn. sheet.

MGCPB—10,000—31-8-04.

G.R.S. 12]

General and Revenue Secretariat.

File No. 117 of 1904

Serial No.

both ancient and authorized way, it is absolutely necessary as the Secretary cannot possibly find time to sign all the fair copies of the Dept. So long as a communication bears the Signature of a known Secretariat officer for the Secretary, no further doubt ought to arise regarding the legality of the course.

As regards the Second point, the complainer is not evidently in possession of all the facts needed for a conclusion. It is a mistake to suppose that under the new Scheme the Registrar's functions are "confined to disciplinary control and management of the office Establishment" as the complainer assumes. In the first place, he is the proper authority for working the Suspend System and for issuing reminders calling upon Subordinate authorities to explain the cause of delay in the disposal of references. Please See Rules 302 to 308 of the office Manual.

Secondly, he is not altogether without case work

NOTE—Contn. sheet.

—10,000—31-8-04.

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General and Revenue Secretariat.

File No. 117 of 1904

Serial No.

Since he writes in Residency cases relating to Branches III and V Thirdly he deals with all matters falling under the description "Routine" Fourthly, under Rule 199 of the Office Manual he Signs fair copies of telegrams issued from the Dept

In this purpose, As the pamphlet seems to make a distinction between the two capacities of the Secretary, in one of which he is the mouthpiece of the Govt and in the other, the Controlling Officer of the Office Establishment. on this distinction the capacity of one Officer to sign for another cannot always be correctly determined. An Assistant Commissioner who does not possess such an extensive capacity such or multiple capacities as a Deputy Commissioner; yet he Signs the latter's communications and his Signature for the Deputy Commissioner" is accepted on all hands.

The question of Status has doubtless a material bearing on the matter. Since the Status of a Registrar is not inferior to that of an Assistant Secretary, it follows that

NOTE—Contn. sheet.

MGCP 3—10 000—19-5-04

General and Revenue Secretariat.

File No. 117 of 1904

Serial No.

It is not prejudicial to the practice of the Registrar signing for Secretary as it now exists.

Lately, under the Dewan's orders the case work of ~~judicial~~ the Sections of Court Regulation devolved on the Registrar who signed many fair copies relating to them. Should the Comptroller's view prove correct, every such order would have to be notified to the subordinate authorities.

On the third & fourth points, I agree with Mr Krishna Rau.

Suitable provisions may be ~~made~~ added to the Secretariat instructions now before the Dewan.

Dewan Manager & Chief Secy)

21/10

Please put up a draft & say that the orders of Govt are certified by the Secy: & they are signed by himself or by the Dy Secy: or any of the Asst Secys or the Registrar for the Secy &

Draft submitted 25/10 Secy 26/10/04 Dewan 23-10-1904 Draft put up 28/10/1904

MGCPB—10,000—19-5-04

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General and Revenue Secretariat.

Gen Jur File No. 117 of 1904-05

Serial No. 2

To the Comptroller

No: H 25298 & 2.11.04

Informs that the orders of Govt are certified to by the Secretary and they are signed by himself or by the Dy Secretary or any of the Assistant Secretaries or the Registrar for him and conforms O.M. No G 990 & 17.8.04 in the Financial Branch.

MGCPB—10,000—31-8-04.

II Dec 19
No 1459
Sr R 254

(1)

1

TREASURY ACCOUNT DEPARTMENT.

OFFICE OF THE

COMPTROLLER, GOVT. OF MYSORE,

BANGALORE, 31 August 1904

From

Henry Eagles, Esq.,

Offg: COMPTROLLER, GOVT. OF MYSORE.

To B. K. Venkatavarada Iyengar, Esq.,

~~THE~~ SECRETARY TO THE GOVT. OF MYSORE,

General and Revenue Depts

SIR,

I have the honor to request that you will be so good as to inform me whether letters and dockets issued from the Secretariat and signed by the Secretary, the Deputy Secretary & Assistant Secretaries with the words "by order" inserted above their signature should be treated as Proceedings of the Government. I further beg to observe that the relation between the Registrar and the Assistant Secretaries though coordinate as laid down in para 10 of Govt: Pro: No.G.5218-57 dated the 14th April '04, yet the functions of the former are quite distinct from those of the latter being confined to disciplinary control and management of the office establishment from which I am led to infer, that when the Deputy Secretary and Assistant Secretaries sign "for Secretary" they sign for him in his capacity as the mouthpiece of Government conveying the orders of Government and the Registrar signs "for Secretary" in the capacity of the Controlling officer of the office establishment. As from the tenor of the Government Proceedings quoted it would appear that the Registrar is vested only with the latter of the two-fold functions of the Secretary

Diary No: 892

Treasury Accounts DEPARTMENT.

1904.

From

Henry Eagles, Esq.,
~~THE~~ COMPTROLLER,
MYSORE GOVT.

To B. K. Venkatavaradaiengar, Esq.
~~THE~~ SECY. TO GOVT. OF MYSORE,
Genl. & Rev. Depts.

Dated
Despatched 31 } August, 1904.
Received

No. 1459
A.D.& I No. 254

SUBJECT MATTER

Requesting to know whether letters and dockets signed by the Secretary, Deputy Secretary and Asst. Secretaries with the words "by order" should be treated as Govt. Proceedings; whether the Registrar is empowered to sign for Secretary; whether the Proceedings issued by the Financial Dept. could be signed by an Asst. Secretary other than the one in immediate charge of the Dept., and the allowance of Rs. 10 sanctioned to M. Veeraraghavalu Naidu be confirmed by the Financial Dept.

to Government, I beg to know whether, consistently with the rules laid down in your Office Manual, he is empowered to sign for Secretary in either capacity. I find it necessary to refer the question to Government for orders as in accordance with the practice in vogue all the papers issued from the Secretariat, and signed by the Deputy Secretary, the Assistant Secretaries and the Registrar are invariably signed "for Secretary" and not above their official designation, and it is not possible therefore to discriminate between the functions assigned to each. An authorative decision on the matter, I deem necessary for my guidance in regulating the audit of charges covered by sanction of Government. Another point on which I also solicit orders, is whether the Proceedings issued by the Financial Department could be signed by an Assistant Secretary other than the one in immediate charge of that Department.

In this connection I beg to refer you to your office Memorandum No.G.990 dated the 17th August 1904 sanctioning an allowance of Rs.10/- from the 1st to the 23rd July 1904 to M.Veeraraghavalu Naidu now Head Accountant of the State Huzur Treasury, to be met out of the Savings of the Establishment of your office and request that the order therein conveyed may be confirmed by the Financial Department, as it involves an increase of charge to be met out of Savings credited to Government.

I have the honor to be,

Sir,

Your most obedient servant,

Wh Eagles

Offg: Comptroller.

G.R.S. 28]

File No. 117
Serial No. 2

Diary No. of letter replied to ———

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.
( )

Dated, the 2nd November 1904

Date of issue — do —

Signed by Mr. M. N. Krishna Rao

READ.—

Letter No 1459 dated the 31st August 1904 and 254 from the Comptroller to the Govt of H. H. the Maharaja of Mysore, requesting to be informed whether the letters dockets Signed by the Secretary

~~ORDER THEREON.~~—No.

the Deputy Secretary and the Assistant Secretaries with the words "by order" should be treated as the Proceedings of Government, whether the Registrar is empowered to sign for the Secretary either in the

over

SUBJECT

MGCPB—5,000—21-6-04.

Copied [illegible] 1/11.

4

capacity as the mouthpiece of Govt conveying the orders of Govt or ~~to the Superior~~ the Controlling officer of the office establishment to whom the proceedings ~~issued by~~ from the Financial Branch ~~shall~~ may be signed by an Assistant Secretary other than the one in immediate charge of that Branch, and that the orders also requesting conveyed in ~~office~~ Memorandum No G. 990 dated the 17th August 1904 sanctioning an allowance of Rs 10 from the 1st to the 23rd July 1904 to M. Veeraraghavalu now, now Head Accountant of the State Huzur Treasury may be Confirmed in the Financial Branch.

Order thereon: — Fb 2529 / Gl. Fin 117-04 4/2

The Comptroller is informed that the orders of Government are certified by

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet araji form.*)

by the Secretary, and they are signed by himself or by the Deputy Secretary or any of the Assistant Secretaries or the Registrar for him. ~~Therefore letters signed by other officers named in the departmental orders are not valid as Government orders.~~

2. Official Memorandum No. G. 990 dated the 17th August 1904 referred to above is hereby Confirmed in the Financial Branch.

BW
28/10/1904

Secretary.

To 25/10
The Comptroller to the Govt. of H.H. The Maharaja of Mysore.